

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

NORVELL BRODIE #184498,

Plaintiff,

File No. 1:11-CV-227

v.

HON. ROBERT HOLMES BELL

UNKNOWN BENIOT et al.,

Defendants.

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**ORDER APPROVING AND ADOPTING  
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

On March 4, 2013, Magistrate Judge Joseph G. Scoville issued a Report and Recommendation ("R&R") recommending that Defendant Smith's motion for summary judgment (Dkt. No. 35) be granted and that all claims against him be dismissed without prejudice. (Dkt. No. 69.) No objections have been filed, and the deadline for doing so has expired. The Court has reviewed the matter and concludes that the R&R correctly analyzes the issues and makes a sound recommendation. Accordingly,

**IT IS HEREBY ORDERED** that the March 4, 2013, R&R (Dkt. No. 69) is **APPROVED** and **ADOPTED** as the opinion of the Court.

**IT IS FURTHER ORDERED** that Defendant Smith's motion for summary judgment (Dkt. No. 35) is **GRANTED**.

**IT IS FURTHER ORDERED** that all claims against Defendant Smith are  
**DISMISSED WITHOUT PREJUDICE.**

Dated: March 22, 2013

/s/ Robert Holmes Bell  
ROBERT HOLMES BELL  
UNITED STATES DISTRICT JUDGE